

REMARKS

Preliminary Matters

Applicant thanks the Examiner for returning the Form SB/08 filed with the Information Disclosure Statement of July 15, 2003, and for indicating consideration of each of the information disclosure references filed at that time.

Applicant notes, however, that the Examiner has neglected to acknowledge receipt of the priority document filed on July 15, 2003, and has not indicated whether or not the drawings filed on July 15, 2003, are accepted. Accordingly, the Examiner is requested to address these open issues in the next Office action.

Response to Detailed Action

Applicant acknowledges with thanks the Examiner's indication that claims 4-10 and 12-16 are allowable. The Examiner has rejected the remaining claims 1-3 and 11 under 35 U.S.C. §103(a) as being unpatentable over Suzuki (USP 5,375,461 and/or USP 5,542,290) in view of Sterin et al. (USP 5,655,262) and Schaefer (USP 5,323,644).

By the present amendment, Applicant is amending claim 1 in order to incorporate the limitations of former dependent claim 4. Claim 4 was indicated in the Office Action of April 5, 2004, to recite allowable subject matter. Since the rejected claims 1-3 and 11 are now either amended to incorporate the limitations of allowable claims or depend from a claim reciting allowable subject matter, the grounds of rejection are rendered moot.

The purpose of the amendments contained herein is to obtain early allowance of the subject application. As such, the changes made to the application do not constitute an

U.S. APPLN NO. 10/618,768
AMENDMENT UNDER 37 C.F.R. §1.111

acquiescence to the grounds of objection and rejection set forth in the Office Action of April 5, 2004. Applicant reserves the right to pursue allowance of the rejected claims in a continuing application. Moreover, Applicant does not admit to the characterization of the teachings of Suzuki (USP 5,375,461 and/or USP 5,542,290). Sterin et al. (USP 5,655,262) or Schaefer (USP 5,323,644) set forth in the Office Action of April 5, 2004.

In the present Amendment, Applicant is also adding new independent and dependent claims based on the indication of allowability set forth in the Office Action of April 5, 2004, for dependent claims 10 and 12-16. It is noted in this regard that the Examiner's statement of reasons for allowance is not exhaustive and that it fails to address each of the various independent formulations of the invention recognized as allowable in the Office Action dated April 5, 2004.

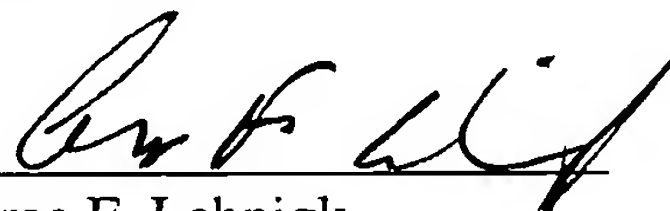
An Excess Claim Fee Payment Letter and a Petition for Extension of Time of one month are enclosed.

U.S. APPLN NO. 10/618,768
AMENDMENT UNDER 37 C.F.R. §1.111

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



George F. Lehnigk
Registration No. 36,359

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

GFL/plr

Date: August 5, 2004